

ing about better tax systems and the administration thereof; and

Whereas, The organization is to meet in Baltimore, Maryland, in the fall of 1937, and as customary will select a suitable place for its 1938 meeting, which place they will deem to be the most advantageous and beneficial to the greatest number of people of the various States; and

Whereas, The State of Texas has never had the honor of entertaining this worthy organization, and it meeting in Texas in 1938 would be of tremendous benefit to Texas and the Southwestern States, in that the people of Texas and the Southwestern States generally would have an opportunity to hear firsthand discussion of the tax problems of the States in their various phases by the most eminent tax experts of the Nation, and thus be better informed as to the proper methods for solving the various tax problems confronting the people; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the National Tax Association be, and it is hereby cordially invited to hold its annual meeting in 1938 at some central point in Texas to be selected by the Executive Board of the Association; and, be it further

Resolved, That a copy of this resolution be forwarded to the Honorable Oscar Leser, President of the National Tax Association and Chairman of the State Tax Commission of Maryland at Annapolis, Maryland, and a copy be forwarded to the Honorable W. D. Query, Secretary of the National Tax Association and Chairman of the South Carolina Tax Commission at Columbia, South Carolina.

McFARLAND,

DAVIS of Jasper.

The resolution was read second time, and was adopted.

#### ADJOURNMENT

On motion of Mr. Harris of Dallas, the House, at 10:25 o'clock a. m., adjourned until 10:00 o'clock a. m., Monday, May 31.

#### THIRD DAY

(Monday, May 31, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Johnson of Ellis
Adkins	Johnson
Alexander	of Tarrant
Alsup	Jones of Angelina
Amos	Jones of Atascosa
Baker	Jones of Falls
Bates	Jones of Wise
Beckworth	Keefe
Bell	Keith
Blankenship	Kelt
Boethel	Kenyon
Bond	Kern
Boyer	King
Bradbury	Knetsch
Bridgers	Langdon
Broadfoot	Lankford
Brown	Lanning
Burton	Leonard
Callan	Leyendecker
Carssow	Little
Cathey	Loggins
Cauthorn	London
Celaya	Lucas
Cleveland	Mann
Colquitt	Mauritz
Davis of Haskell	Mays
Davis of Jasper	McConnell
Davison of Fisher	McCracken
Davisson	McDonald
of Eastland	McFarland
Dean	McKee
Deglandon	McKinney
Derden	Metcalfe
Dickison	Moffett
Dollins	Monkhouse
England	Morris
Farmer	Morse
Felty	Newton
Fielden	Nicholson
Fox	Oliver
Fuchs	Palmer
Gibson	Patterson
Graves	of Travis
Hamilton	Petsch
Hankamer	Pope
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harrell	Ragsdale
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Heflin	Riddle
Herzik	Roark
Holland	Ross
Hoskins	Russell
Howard	Rutta
Huddleston	Schuenemann
Hyder	Sharpe
James	Simpson

Skaggs	Tennyson
Smith of Hopkins	Thornberry
Smith	Thornton
of Matagorda	Waggoner
Stevenson	Walker
Stinson	Weldon
Stocks	Westbrook
Vale	Winfree
Talbert	Wood
Tarwater	Worley
Tennant	

Absent

Bradford

Absent—Excused

Cagle	Patterson of Mills
Harper	Settle
Hull	Sewell
Jackson	Shell
Leath	Smith of Tarrant

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Cagle for today, on motion of Mr. Harrell.

Mr. Leath for today, on motion of Mr. Wood.

Mr. Smith of Tarrant for today, on motion of Mr. Amos.

Mr. Hull for today, on motion of Mr. Johnson of Tarrant.

Mr. Harper for today, on motion of Mr. Worley.

Mr. McCracken for today, on motion of Mr. Felty.

Mr. Jackson for Monday, Tuesday and Wednesday of this week, on motion of Mr. Bridgers.

Mr. Settle for today, on motion of Mr. Harris of Dickens.

Mr. Sewell for this morning, on motion of Mr. Johnson of Ellis.

The following Member was granted leave of absence on account of illness:

Mr. Shell for today and tomorrow, on account of illness in his family, on motion of Mr. Ragsdale.

## TO PROVIDE FOR THE PAYMENT OF CERTAIN EXPENSES

Mr. Leonard offered the following resolution:

H. C. R. No. 2, To provide for the payment of certain expenses of the Commissioner of Agriculture.

Whereas, The Texas' Commissioner of Agriculture, along with Commissioners of Agriculture of other Southern States, has been requested by the Senate Committee on Agriculture to be in Washington at an early date for a conference on the farm program, which is to be outlined by the National Congress and to be effective for the coming two (2) years or more; and

Whereas, It is highly important that Texas, as the leading agricultural State of the South, be represented at that conference by the Commissioner of Agriculture and at least one member of his staff; and

Whereas, There are not now sufficient funds available to the credit of the Department of Agriculture which may be used by the Commissioner of Agriculture and one member of his staff in traveling outside the State of Texas; and

Whereas, It is believed that on this same trip to Washington the Commissioner of Agriculture and one member of his staff, probably the State Entomologist, will be able to secure a sizeable appropriation for the eradication of the Morelos fruit fly in Texas, as was done in the case of the Mediterranean fruit fly in Florida; and

Whereas, It is highly important not only to the citrus industries of Texas, but to the peach, plum, apricot, and pear growers as well, that this pest be rapidly and completely driven from the orchards of our State; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That it is the desire of the Legislature that the State Comptroller, the Attorney General and the State Treasurer of Texas issue, honor and allow to be paid warrants for the traveling expenses of the State Commissioner of Agriculture and the State Entomologist on the trip to Washington, for the purposes set out above, said expense money not to exceed the sum of Three Hundred (\$300.00) Dollars, to be paid out of the appropriation made by House Bill No. 101, Regular Session, Forty-fifth Legislature; and, be it further

Resolved, That it is not the intention of the Legislature to write into said House Bill No. 101 any restrictions which would prevent any State Officer from complying with the terms of this resolution, but, on the contrary, all State Officers mentioned

herein are requested to comply herewith.

The resolution was read second time, and was adopted.

**AUTHORIZING THE OLD AGE  
ASSISTANCE BOARD TO  
FURNISH CERTAIN  
MANUAL TO MEM-  
BERS OF THE  
HOUSE**

Mr. Farmer offered the following resolution:

Whereas, The Members of the House of Representatives do not have a Manual of the Instructions, Rules, and Regulations of the Texas Old Age Assistance Commission for the administration of the old age assistance law; and

Whereas, It is very needful that each Member of the House of Representatives should have such a Manual that they may be fully informed for the benefit of their constituents on the administration of such law; therefore, be it

Resolved, That the Old Age Assistance Board and the Executive Director of same are hereby requested and directed to have prepared a copy of such Instructions, Rules, and Regulations in loose leaf form for each Member of the House of Representatives within the next two weeks, and are further directed to deliver a copy of same to each Member of the House of Representatives, and they are further directed from time to time to send to each Member of the House of Representatives as changes are made the new pages embodying such changes for insertion in such Manual; and, be it further

Resolved, That the Chief Clerk of the House of Representatives is hereby instructed to prepare copies of this resolution, and forthwith deliver a copy of same to each Member of the Old Age Assistance Board and the Executive Director of the Old Age Assistance Law.

FARMER,  
HARRELL,  
READER,  
HAMILTON,  
CELAYA,  
McCONNELL,  
ROSS,  
RHODES,  
DAVIS of Haskell,  
WESTBROOK,  
AMOS,  
CALLAN,

RUSSELL,  
OLIVER,  
HARDIN,  
REED of Bowie,  
WINFREE,  
MANN,  
LUCAS,  
WELDON.

The resolution was read second time.

Mr. Alsup moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

**Yeas—37**

Alsup	Keith
Baker	Metcalfe
Bond	Morris
Bridgers	Nicholson
Burton	Palmer
Davison of Fisher	Patterson
Dollins	of Travis
England	Petsch
Fox	Quinn
Fuchs	Roark
Graves	Smith
Hanna	of Matagorda
Harris of Dallas	Stinson
Hartzog	Stocks
Heflin	Tarwater
Hoskins	Thornberry
Howard	Thornton
Hyder	Waggoner
Jones of Falls	Walker
Jones of Wise	

**Nays—91**

Adkins	Deglandon
Alexander	Farmer
Amos	Felty
Bates	Fielden
Beckworth	Gibson
Bell	Hamilton
Blankenship	Hankamer
Boethel	Harbin
Boyer	Hardin
Bradbury	Harrell
Broadfoot	Harris of Archer
Brown	Harris of Dickens
Callan	Herzik
Cathey	Holland
Cauthorn	Huddleston
Celaya	James
Cleveland	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison	Jones of Angelina
of Eastland	Jones of Atascosa
Dean	Kelt

Kenyon	Prescott
Kern	Ragsdale
King	Reader
Knetsch	Reed of Bowie
Langdon	Reed of Dallas
Lankford	Rhodes
Lanning	Riddle
Leonard	Ross
Leyendecker	Russell
Little	Rutta
Liggins	Schuenemann
Lucas	Sharpe
Mann	Simpson
Mays	Skaggs
McConnell	Smith of Hopkins
McDonald	Talbert
McKee	Tennant
McKinney	Tennyson
Moffett	Vale
Monkhouse	Weldon
Morse	Westbrook
Newton	Winfree
Oliver	Wood
Pope	Worley
Powell	

## Absent

Bradford	London
Carssow	Mauritz
Colquitt	McCracken
Derden	McFarland
Dickison	Stevenson
Keefe	

## Absent—Excused

Cagle	Settle
Harper	Sewell
Hull	Shell
Jackson	Smith of Tarrant
Leath	Patterson of Mills

Question then recurring on the resolution by Mr. Farmer, it was adopted.

**TO PROVIDE FOR APPOINTMENT OF COMMITTEE TO MAKE CERTAIN INVESTIGATION**

Mr. Celaya offered the following resolution:

Whereas, Many various insinuations and charges have been made relative to the illegal operation of refineries and pipe line companies in oil fields other than the East Texas Field in this State; and

Whereas, In connection with said charges there has appeared insinuations against the integrity of the elected representatives of the people of Texas; and

Whereas, It is highly important and essential that a thorough and searching investigation be made to deter-

mine whether certain charges are true, and if so, that measures be recommended to correct the situation, and if untrue, the true facts should be made public to the world and;

Whereas, The manifold and burdensome duties already imposed upon the Railroad Commission and the Attorney General and their assistants make it impossible due to lack of sufficient personnel for those officials to make the necessary investigation; now, therefore, be it

Resolved by the House of Representatives now in session, That a committee of five be appointed by the Speaker to serve without pay, to investigate the practices and operations of oil operators, refineries and pipe line companies and to investigate and study reports of operators to the departments of Government of this State, and to investigate expenditure of appropriations; and, be it further

Resolved, That said committee shall have full and complete authority to summons witnesses, to issue subpoenas, subpoena duces tecum, attachments and all other writs and processes necessary to affect the purpose of this resolution and to administer oath to said witnesses; and, be it further

Resolved, That said committee be authorized to employ such help to assist it in making up such investigation and formulation of the report, and further to pay the actual necessary and reasonable expenses of witnesses brought before the committee, and such other expenses as may be necessary to facilitate the work and purpose of the committee; and that such expenses be paid by and through the Chairman of the Contingent Expense Committee upon the certificate of the Chairman of the Committee; and, be it further

Resolved, That there is hereby appropriated out of the Contingent Expense Fund Five Hundred (\$500.00) Dollars for the purpose of paying such expenses.

CELAYA,  
VALE,  
McKINNEY,  
MONKHOUSE,  
BROADFOOT,  
METCALFE.

The resolution was read second time.

Mr. Morris raised a point of order, on further consideration of the resolution, at this time, on the ground

that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Harris of Dickens moved that the Rule, relative to the consideration of resolutions, be suspended for the purpose of considering the above resolution.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—76

Alexander	Knetsch
Amos	Lanning
Baker	Leyendecker
Beckworth	Little
Bell	Loggins
Boethel	Lucas
Boyer	Mann
Broadfoot	Mauritz
Callan	Mays
Carsow	McDonald
Cathey	McFarland
Cauthorn	McKinney
Celaya	Monkhouse
Davisson	Morse
of Eastland	Nicholson
Dean	Patterson
Deglandon	of Travis
Derden	Pope
Dollins	Powell
Farmer	Prescott
Felty	Ragsdale
Gibson	Reader
Hamilton	Reed of Dallas
Hankamer	Rhodes
Harbin	Schuenemann
Hardin	Shell
Harrell	Simpson
Harris of Dallas	Skaggs
Harris of Dickens	Stevenson
Hartzog	Stinson
Heflin	Stocks
Hoskins	Talbert
Howard	Thornton
James	Vale
Johnson of Ellis	Walker
Johnson	Weldon
of Tarrant	Winfree
Jones of Angelina	Wood
Jones of Atascosa	Worley
Kenyon	

## Nays—49

Adkins	Davis of Jasper
Bates	Davison of Fisher
Blankenship	Fielden
Bradbury	Fox
Brown	Fuchs
Burton	Graves
Cleveland	Hanna
Davis of Haskell	Harris of Archer

Herzik	Palmer
Huddleston	Petsch
Hyder	Quinn
Jones of Falls	Reed of Bowie
Jones of Wise	Roark
Keith	Ross
Kelt	Russell
Kern	Rutta
King	Sharpe
Lankford	Smith of Hopkins
London	Smith
McKee	of Matagorda
Metcalfe	Tarwater
Moffett	Tennyson
Morris	Thornberry
Newton	Waggoner
Oliver	Westbrook

## Absent

Alsup	Keefe
Bond	Langdon
Bradford	Leonard
Bridgers	McConnell
Colquitt	McCracken
Dickison	Riddle
England	Tennant
Holland	

## Absent—Excused

Cagle	Patterson of Mills
Harper	Settle
Hull	Sewell
Jackson	Smith of Tarrant
Leath	

## EXTENDING INVITATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

Hon. Robert Calvert, Speaker of the House,  
Capitol Station,  
Austin, Texas

Dear Mr. Speaker:

Under my direction there has been mailed an invitation to every Member of the Senate and House of Representatives, asking them to attend the formal opening and dedication of the Texas Institute of Natural Resources and Industrial Development at 2:30 p. m., Saturday, June 19. A railroad rate of one fare plus 25 cents for the round trip has been granted, good until midnight Tuesday.

As you understand the Institute of which I have the honor of being President and Director General has as its objectives the development of the 96 per cent undeveloped resources of Texas. It is generally recognized that Texas now is emerging from the

strictly agricultural and live stock era into the industrial era in which new industries will be built on our vast natural materials, which will give the State a balanced program, so much to be desired. It is the purpose of this Institute, which is non-political and non-profiting, to make these accomplishments tangible as quickly as possible.

We will greatly appreciate it if you will have this general invitation read at a session of the House and if possible get a favorable vote, as to attendance and as to indorsement of aims. I can assure you that arrangements will be made to take care of speakers representing your honorable body. I am convinced that the Legislature of Texas could render no greater service than lend its presence to the initiation of this program, which intends in five years to attract \$12,000,000 in new capital to the State, and over decades to come intends to raise to heights undreamed the latent resources of our beloved State.

I will thank you, in behalf of our board, advisory committee and our publicity advisory committee, for whatever favorable action that may be possible in the premises.

Very sincerely yours,

JOHN M. SPELLMAN,  
President and Director General.

#### TO PROVIDE FOR MEMORIAL DAY SERVICES

Mr. Harris of Dallas asked unanimous consent that the House take up, for consideration at this time, the following resolution:

There was objection offered.

Whereas, The date of May 31, 1937, has been set aside by the various State departments as Memorial Day in honor of those who served in the cause for peace and democracy during the great world war; and

Whereas, It is fitting and proper that the House of Representatives pay tribute to these heroes who willingly offered their lives in defense of these principles; now, therefore, be it

Resolved by the House of Representatives, That a memorial service be conducted in the House, beginning at 11:00 o'clock, said service to be featured by a prayer from the Hon. George W. Coltrin, Chaplain of the House, and a patriotic address from

our honored colleague, the Honorable J. Carroll McConnell of Palo Pinto County.

HARRIS of Dallas,  
CELAYA,  
STOCKS,  
ROSS,  
LUCAS.

Mr. Harris of Dallas then moved to suspend the Rule, relative to the consideration of resolutions, for the purpose of considering the above resolution.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—79

Adkins	Lanning
Alexander	Leonard
Baker	Leyendecker
Beckworth	Little
Bell	Loggins
Boyer	London
Bridgers	Lucas
Burton	Mann
Callan	McCracken
Carssow	McDonald
Cathey	McKinney
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morse
Davis of Haskell	Newton
Davis of Jasper	Nicholson
Davisson	Patterson
of Eastland	of Travis
Deglandon	Pope
Dollins	Prescott
England	Quinn
Farmer	Ragsdale
Felty	Reader
Fuchs	Reed of Dallas
Gibson	Rhodes
Hankamer	Riddle
Harrell	Sharpe
Harris of Archer	Simpson
Harris of Dallas	Skaggs
Heflin	Stevenson
Herzik	Stinson
Hoskins	Stocks
Howard	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Thornton
of Tarrant	Vale
Kenyon	Waggoner
King	Winfree
Knetsch	Wood
Lankford	Worley

Nays—45

Alsup	Bates
Amos	Blankenship

Boethel	Mays
Broadfoot	McFarland
Brown	Metcalf
Davison of Fisher	Morris
Derden	Oliver
Fielden	Palmer
Fox	Petsch
Graves	Powell
Hamilton	Reed of Bowie
Hanna	Roark
Harris of Dickens	Ross
Hyder	Russell
Jones of Angelina	Rutta
Jones of Atascosa	Smith of Hopkins
Jones of Falls	Smith
Jones of Wise	of Matagorda
Keefe	Tennyson
Keith	Thornberry
Kelt	Walker
Kern	Weldon
Langdon	Westbrook

## Absent

Bond	Hartzog
Bradbury	Holland
Bradford	Huddleston
Colquitt	Mauritz
Dean	McConnell
Dickison	McKee
Harbin	Schuenemann
Hardin	

## Absent—Excused

Cagle	Patterson of Mills
Harper	Settle
Hull	Sewell
Jackson	Shell
Leath	Smith of Tarrant

## RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 1, Providing for a Joint Session of the House and Senate to hear address of Governor James V. Allred.

## HOUSE BILL NO. 6 ON SECOND READING

Mr. Bradbury moved that the Twenty-four Hour House Rule, relative to the consideration of printed bills, be suspended, for the purpose of considering House Bill No. 6.

The motion prevailed by the following vote:

Yeas—94

Adkins	Alsup
Alexander	Amos

Baker	Leyendecker
Bates	London
Beckworth	Lucas
Blankenship	Mauritz
Boethel	McConnell
Bond	McDonald
Bradbury	McFarland
Broadfoot	McKinney
Brown	Metcalf
Burton	Moffett
Cathey	Morris
Cauthorn	Newton
Cleveland	Oliver
Davis of Haskell	Palmer
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Davisson	Petsch
of Eastland	Powell
Dean	Prescott
Deglandon	Quinn
Derden	Ragsdale
England	Reed of Bowie
Farmer	Reed of Dallas
Fielden	Rhodes
Fox	Riddle
Fuchs	Roark
Graves	Ross
Hamilton	Russell
Harbin	Rutta
Harrell	Sharpe
Harris of Archer	Smith of Hopkins
Harris of Dallas	Smith
Harris of Dickens	of Matagorda
Huddleston	Stinson
Hyder	Stocks
Johnson of Ellis	Talbert
Jones of Angelina	Tarwater
Jones of Atascosa	Tennyson
Jones of Falls	Thornberry
Jones of Wise	Thornton
Keefe	Waggoner
Kelt	Walker
Kern	Weldon
King	Westbrook
Langdon	Wood
Lankford	Worley
Lanning	

## Nays—35

Bell	James
Boyer	Johnson
Callan	of Tarrant
Carssow	Kenyon
Celaya	Knetsch
Colquitt	Leonard
Dollins	Little
Felty	Loggins
Gibson	Mann
Hankamer	Mays
Hanna	McCracken
Heflin	Monkhouse
Herzik	Morse
Hoskins	Pope
Howard	Reader

Simpson  
Skaggs  
Stevenson

Tennant  
Vale  
Winfree

Present—Not Voting

Keith

Absent

Bradford  
Bridgers  
Dickison  
Hardin  
Hartzog

Holland  
McKee  
Nicholson  
Schuenemann

Absent—Excused

Cagle  
Harper  
Hull  
Jackson  
Leath

Patterson of Mills  
Settle  
Sewell  
Shell  
Smith of Tarrant

PAIRED

Mr. Keith (present), who would vote "yea", with Mr. Bradford (absent), who would vote "nay".

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act repealing Chapter 10 of the laws of the Forty-third Legislature, First Called Session, being House Bill No. 12, pages 32-41 of the General and Special Laws of the Forty-third Legislature, First Called Session, and re-enacting Articles 645 and 650 of the Penal Code of the State of Texas, to provide a penalty for its violation, and declaring an emergency."

The bill was read second time.

Mr. Johnson of Tarrant moved to postpone further consideration of House Bill No. 6 until 10:00 o'clock a. m., next Thursday.

Mr. Bradbury moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—93

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Blankenship  
Boethel  
Bond

Bradbury  
Broadfoot  
Brown  
Burton  
Cathey  
Cauthorn  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper

Davison of Fisher  
Davisson  
of Eastland  
Dean  
Deglandon  
Derden  
England  
Farmer  
Fielden  
Fox  
Gibson  
Graves  
Hamilton  
Harbin  
Harrell  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Huddleston  
Hyder  
Johnson of Ellis  
Jones of Angelina  
Jones of Atascosa  
Jones of Wise  
Keefe  
Keith  
Kelt  
Kern  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leyendecker  
London  
Lucas  
Mauritz  
McConnell

McDonald  
McFarland  
Metcalf  
Moffett  
Morris  
Newton  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Powell  
Prescott  
Quinn  
Reed of Bowie  
Rhodes  
Riddle  
Roark  
Ross  
Russell  
Rutta  
Sharpe  
Smith of Hopkins  
Smith  
of Matagorda  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Waggoner  
Walker  
Weldon  
Westbrook  
Wood  
Worley

Nays—39

Bell  
Boyer  
Bridgers  
Callan  
Carssow  
Celaya  
Dollins  
Felty  
Fuchs  
Hankamer  
Hanna  
Hardin  
Hartzog  
Herzik  
Hoskins  
Howard  
James  
Johnson  
of Tarrant  
Kenyon

Leonard  
Little  
Loggins  
Mann  
Mays  
McCracken  
McKinney  
Monkhouse  
Morse  
Nicholson  
Pope  
Ragsdale  
Reader  
Reed of Dallas  
Simpson  
Skaggs  
Stevenson  
Thornton  
Vale  
Winfree

Absent

Bradford  
Dickison

Heflin  
Holland



Jones of Falls  
McKee

Schuenemann

Absent—Excused

Cagle  
Harper  
Hull  
Jackson  
Leath

Patterson of Mills  
Settle  
Sewell  
Shell  
Smith of Tarrant

Mr. Bradbury offered the following committee amendment to the bill:

Amend House Bill No. 6, by striking out the whole of Section 2 of said bill and substitute in lieu thereof the following:

"Section 2. That from and after the passage of this Act it shall be unlawful for any person, firm, corporation or association of persons at or within any enclosure in this State at which any horse race is to be run, trotted or paced, to take or accept any bet or aid any other person in betting, taking or accepting any bet upon any horse race by means of the certificate system of betting.

"The purpose of this section is to prohibit that method of betting under which contributions of money are received toward the entry of any horse in a race selected to finish in a certain position in such race, the person so contributing acquiring an interest in the total money so contributed on all horses in such race selected to finish in that position in proportion to the amount of money contributed by such person, the person so contributing receiving a certificate on which is shown the number of the race, the amount contributed, and the number or name of the horse respectively selected by such person and the position in which the horse has been selected to run. Under such certificate system the sums contributed on all horses selected to run in the same position is paid out to the holders of certificates on the winning horse equally in proportion as the amount contributed by the holder of the certificate bears to the total amount contributed toward the entry of all horses in said race selected to run in that position."

Mr. Winfree moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—40

Blankenship  
Boyer  
Bridgers  
Carssow  
Celaya  
Colquitt  
Dollins  
Felty  
Fuchs  
Hankamer  
Hanna  
Harris of Dallas  
Hartzog  
Heflin  
Hoskins  
Howard  
Johnson  
of Tarrant  
Jones of Falls  
Kenyon  
Leonard

Little  
Loggins  
McCracken  
McKinney  
Monkhouse  
Morse  
Nicholson  
Patterson  
of Travis  
Pope  
Ragsdale  
Reader  
Reed of Dallas  
Schuenemann  
Simpson  
Skaggs  
Stevenson  
Tennant  
Thornton  
Vale  
Winfree

Nays—93

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Boethel  
Bond  
Bradbury  
Broadfoot  
Brown  
Burton  
Callan  
Cathey  
Cauthorn  
Cleveland  
Davis of Haskell  
Davis of Jasper  
Davisson of Fisher  
of Eastland  
Dean  
Deglandon  
Derden  
England  
Farmer  
Fielden  
Fox  
Gibson  
Graves  
Hamilton  
Harbin  
Hardin  
Harrell  
Harris of Archer  
Harris of Dickens  
Herzik

Huddleston  
Hyder  
James  
Johnson of Ellis  
Jones of Angelina  
Jones of Atascosa  
Jones of Wise  
Keefe  
Keith  
Kelt  
Kern  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leyendecker  
London  
Lucas  
Mann  
Mauritz  
Mays  
McConnell  
McDonald  
Metcalf  
Moffett  
Morris  
Newton  
Oliver  
Palmer  
Petsch  
Powell  
Prescott  
Quinn  
Reed of Bowie  
Rhodes  
Roark  
Ross  
Russell

Rutta  
Sharpe  
Smith of Hopkins  
Smith  
of Matagorda  
Stinson  
Stocks  
Talbert  
Tarwater

Tennyson  
Thornberry  
Waggoner  
Walker  
Weldon  
Westbrook  
Wood  
Worley

## Absent

Bradford  
Dickison  
Holland

McFarland  
McKee  
Riddle

## Absent—Excused

Cagle  
Harper  
Hull  
Jackson  
Leath

Patterson of Mills  
Settle  
Sewell  
Shell  
Smith of Tarrant

Mr. Quinn offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 6, Section 2, line 21, by striking out the following words: "That from and after the passage of this Act" and insert in lieu thereof the following: "That from and after January 1st, 1938".

Mr. England moved to table the amendment by Mr. Quinn.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—84

Adkins  
Alexander  
Alsup  
Amos  
Bates  
Beckworth  
Blankenship  
Boethel  
Bond  
Bradbury  
Broadfoot  
Brown  
Burton  
Cathey  
Cauthorn  
Cleveland  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Derden

England  
Farmer  
Fielden  
Fox  
Gibson  
Graves  
Hamilton  
Harbin  
Hardin  
Harrell  
Harris of Archer  
Harris of Dickens  
Heflin  
Huddleston  
Johnson of Ellis  
Jones of Angelina  
Jones of Atascosa  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
Kern  
King

Langdon  
Lankford  
Lanning  
Little  
London  
Lucas  
Mauritz  
McConnell  
McDonald  
McFarland  
McKinney  
Metcalf  
Moffett  
Monkhouse  
Morris  
Oliver  
Palmer  
Petsch  
Powell  
Prescott

Reed of Bowie  
Rhodes  
Roark  
Ross  
Russell  
Sharpe  
Smith of Hopkins  
Smith  
of Matagorda  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Walker  
Weldon  
Westbrook  
Wood  
Worley

## Nays—46

Baker  
Bell  
Boyer  
Callan  
Carssow  
Celaya  
Colquitt  
Dollins  
Felty  
Fuchs  
Hankamer  
Hanna  
Harris of Dallas  
Hartzog  
Herzik  
Hoskins  
Howard  
Hyder  
James  
Johnson  
of Tarrant  
Kenyon  
Leonard  
Leyendecker

Loggins  
Mann  
Mays  
McCracken  
McKee  
Morse  
Newton  
Patterson  
of Travis  
Pope  
Quinn  
Ragsdale  
Reader  
Reed of Dallas  
Rutta  
Schuenemann  
Simpson  
Skaggs  
Stevenson  
Stinson  
Thornton  
Vale  
Waggoner  
Winfree

## Present—Not Voting

Keith

## Absent

Bradford  
Bridgers  
Dean  
Dickison

Holland  
Knetsch  
Nicholson  
Riddle

## Absent—Excused

Cagle  
Harper  
Hull  
Jackson  
Leath

Patterson of Mills  
Settle  
Sewell  
Shell  
Smith of Tarrant

### PAIRED

Mr. Keith (present), who would vote "yea", with Mr. Bradford (absent), who would vote "nay".

Mr. Pope offered the following substitute for the committee amendment by Mr. Bradbury:

Amend House Bill Number 6, by adding thereto a new section to be known as Section 2a, to read as follows:

"That from and after the passage of this Act, it shall be unlawful for any person, association of persons, or any corporation, to, at any place in this State, bet or wager any money or any article of value on any horse race to be run, trotted, or paced in this State or elsewhere."

While Mr. Pope was addressing the House, the point of order was raised that the time allotted for Mr. Pope to speak had expired.

The Speaker sustained the point of order.

Mr. Harris of Dallas moved that the time be extended.

The motion prevailed by the following vote:

### Yeas—107

Alexander	Hamilton
Alsup	Hanna
Amos	Hardin
Baker	Harrell
Beckworth	Harris of Archer
Bell	Harris of Dallas
Blankenship	Harris of Dickens
Boethel	Hartzog
Bond	Heflin
Boyer	Herzik
Bradbury	Holland
Broadfoot	Hoskins
Brown	Howard
Callan	Huddleston
Carsow	Hyder
Cathey	James
Cauthorn	Johnson of Ellis
Celaya	Johnson
Cleveland	of Tarrant
Colquitt	Jones of Angelina
Davis of Haskell	Jones of Atascosa
Davis of Jasper	Jones of Wise
Deglandon	Kenyon
Derden	King
Dickison	Knetsch
Dollins	Langdon
England	Lanning
Farmer	Leonard
Felty	Leyendecker
Fielden	Little
Fuchs	Loggins
Gibson	London

Lucas	Rhodes
Mann	Roark
Mauritz	Russell
Mays	Rutta
McConnell	Sharpe
McCracken	Simpson
McDonald	Skaggs
McFarland	Stevenson
McKee	Stinson
Moffett	Stocks
Monkhouse	Talbert
Morse	Tarwater
Newton	Tennant
Nicholson	Tennyson
Oliver	Thornberry
Patterson	Thornton
of Travis	Vale
Prescott	Waggoner
Quinn	Walker
Ragsdale	Winfree
Reader	Wood
Reed of Bowie	Worley
Reed of Dallas	

### Nays—17

Adkins	Metcalf
Bates	Morris
Burton	Palmer
Davison of Fisher	Petsch
Fox	Ross
Keefe	Smith of Hopkins
Kelt	Smith
Kern	of Matagorda
Lankford	Weldon

### Absent

Bradford	Keith
Bridgers	McKinney
Davisson	Pope
of Eastland	Powell
Dean	Riddle
Graves	Schuenemann
Hankamer	Westbrook
Harbin	

### Absent—Excused

Cagle	Patterson of Mills
Harper	Settle
Hull	Sewell
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

Mr. Bradbury moved to table the substitute amendment by Mr. Pope.

Mr. Morse raised the following point of order:

Mr. Speaker:

I raise the following points of order against the further consideration of House Bill No. 6, to-wit:

"1. House Bill No. 6 is not within the Governor's call in that the Governor's proclamation states "to outlaw

and prohibit the so-called pari-mutuel betting or gaming on horse races, at race tracks, legalized by the Acts of the Forty-third Legislature in 1933". Section 2 of House Bill No. 6 provides: 'Section 2. That from and after the passage of this Act it shall be unlawful for any person, association of persons or any corporation, to, at any place in this State, take or accept any bet or aid any other person in betting or taking or accepting any bet upon any horse race to be run, trotted or paced in this State.' The provision of Section 2 of the bill prohibits betting on horse races to be run, trotted or paced in this State and not merely at race tracks.

Further, House Bill No. 6 in its caption, in addition to providing for the repeal of House Bill No. 12 of the First Called Session of the Forty-third Legislature, also provides for the re-enacting of Articles 645 and 650 of the Penal Code of the State of Texas, which is not within the Governor's call."

MORSE,  
HANKAMER.

Question—Shall the point of order be sustained?

RECESS

Mr. Morse moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Metcalfe moved that the House recess until 2:00 o'clock p. m., today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—51

Blankenship	Johnson
Boyer	of Tarrant
Bridgers	Jones of Atascosa
Callan	Kenyon
Carssow	Knetsch
Celaya	Leonard
Dean	Leyendecker
Dickison	Little
Dollins	Mann
Felty	McCracken
Fuchs	McDonald
Hankamer	McKee
Hanna	McKinney
Harbin	Monkhouse
Harris of Dallas	Morse
Hartzog	Newton
Heflin	Nicholson
Holland	Pope
Howard	Ragsdale
James	Reader

Reed of Dallas  
Schuenemann  
Sharpe  
Simpson  
Skaggs  
Stevenson

Talbert  
Thornton  
Vale  
Waggoner  
Winfree  
Worley

Nays—80

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Boethel  
Bradbury  
Broadfoot  
Brown  
Burton  
Cauthorn  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Derden  
England  
Farmer  
Fielden  
Fox  
Gibson  
Graves  
Hamilton  
Hardin  
Harrell  
Harris of Archer  
Harris of Dickens  
Herzik  
Huddleston  
Hyder  
Johnson of Ellis  
Jones of Angelina  
Jones of Wise  
Keefe  
Keith

Kelt  
Kern  
King  
Langdon  
Lankford  
Lanning  
London  
Lucas  
Mauritz  
McConnell  
McFarland  
Metcalfe  
Moffett  
Morris  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Powell  
Prescott  
Quinn  
Reed of Bowie  
Rhodes  
Roark  
Ross  
Russell  
Rutta  
Smith of Hopkins  
Smith  
of Matagorda  
Stinson  
Stocks  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Walker  
Weldon  
Westbrook  
Wood

Absent

Bond  
Bradford  
Cathey  
Hoskins

Loggins  
Mays  
Riddle

Absent—Excused

Cagle  
Harper  
Hull  
Jackson  
Jones of Falls  
Leath

Patterson of Mills  
Settle  
Sewell  
Shell  
Smith of Tarrant

Question then recurring on the motion to recess until 2:00 o'clock p. m., it prevailed.

The House, accordingly, at 12:05 o'clock p. m., took recess until 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

#### LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Jones of Falls was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Adkins.

Mr. McKinney was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Keith.

#### HOUSE BILL NO. 6 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 6, relative to the repeal of pari-mutuel betting or gaming at race tracks, on its passage to engrossment.

The bill having been read second time on this morning, with committee amendment by Mr. Bradbury, substitute by Mr. Pope for the committee amendment, and motion by Mr. Bradbury to table the amendment by Mr. Pope, and point of order, raised by Mr. Morse, pending.

The Speaker overruled the point of order, raised by Mr. Morse, stating his reasons, as follows:

The Speaker stated that the point of order was overruled because of the agreement entered into between the House, the Speaker, and the authors of the various bills on the subject, to the end that all matter contained in those bills which did not come within the Governor's call should be deleted therefrom.

Mr. Winfree raised the following point of order, on consideration of the committee amendment by Mr. Bradbury:

"I raise the point of order that any amendment which would strike from the bill the provision of Section 2, whether such amendment be a committee amendment or an amendment offered from the floor, would change

the original purpose of the bill, which is prohibited under Section 30 of Article III of the Constitution.

The purpose of a bill is determined by the caption of the bill, and where the language of the caption is in 'the conjunctive', the provisions are not severable, but must be construed as an entirety, and since the caption of House Bill No. 6 shows that the subject matter thereof, in its entirety, is not within the Governor's call, an amendment to change the purpose of the bill, in order to make the bill come within the Governor's call, is prohibited under Section 30 of Article III of the Constitution."

WINFREE,  
HANKAMER.

The Speaker overruled the point of order.

Mr. Winfree moved that the Rule, governing the regular order of business, be suspended, and that the hour of 3:00 o'clock p. m., today be set aside for the purpose of holding Memorial Day services in the House.

The motion was lost by the following vote:

Yeas—63

Baker	Lucas
Boyer	Mann
Bridgers	Mays
Burton	McDonald
Callan	McKee
Celaya	Monkhouse
Colquitt	Morse
Dean	Newton
Dickison	Nicholson
Felty	Patterson
Fielden	of Travis
Fuchs	Pope
Gibson	Prescott
Hankamer	Quinn
Hanna	Ragsdale
Hardin	Reader
Harrell	Reed of Dallas
Harris of Dallas	Rutta
Hartzog	Schuenemann
Heflin	Sharpe
Herzik	Simpson
Holland	Skaggs
Hoskins	Stevenson
Howard	Stocks
Hyder	Talbert
James	Tennant
Johnson	Thornton
of Tarrant	Vale
Kenyon	Waggoner
Leonard	Winfree
Leyendecker	Wood
Little	Worley
Loggins	

## Nays—66

Adkins	Keith
Alsup	Kelt
Amos	Kern
Bates	King
Beckworth	Knetsch
Bell	Langdon
Blankenship	Lankford
Boethel	Lanning
Bond	London
Bradbury	Mauritz
Broadfoot	McFarland
Brown	Metcalfe
Cathey	Moffett
Cauthorn	Morris
Cleveland	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Petsch
Davisson	Powell
of Eastland	Reed of Bowie
Deglandon	Rhodes
Derden	Roark
England	Ross
Fox	Russell
Graves	Sewell
Hamilton	Smith of Hopkins
Harbin	Smith
Harris of Archer	of Matagorda
Harris of Dickens	Stinson
Huddleston	Tarwater
Johnson of Ellis	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Walker
Jones of Wise	Weldon
Keefe	Westbrook

## Present—Not Voting

McConnell

## Absent

Alexander	Dollins
Bradford	Farmer
Carssow	McCracken
Davis of Haskell	Riddle

## Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Hull	Settle
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

Mr. Bradbury withdrew the motion to table the amendment by Mr. Pope.

Mr. Pope then withdrew the substitute amendment, offered by himself, for the committee amendment by Mr. Bradbury.

Mr. Morse moved that further consideration of House Bill No. 6 be postponed until 10:00 o'clock a. m., tomorrow.

Mr. Morris moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—82

Adkins	King
Alexander	Langdon
Alsup	Lankford
Amos	Lanning
Bates	London
Beckworth	Lucas
Bell	Mauritz
Boethel	McConnell
Bond	McDonald
Bradbury	McFarland
Broadfoot	Metcalfe
Brown	Moffett
Burton	Morris
Cathey	Oliver
Cauthorn	Palmer
Cleveland	Patterson
Davis of Haskell	of Travis
Davis of Jasper	Petsch
Davison of Fisher	Powell
Davisson	Prescott
of Eastland	Quinn
Dean	Reed of Bowie
Deglandon	Rhodes
Derden	Roark
England	Ross
Farmer	Russell
Fox	Rutta
Gibson	Sewell
Graves	Smith of Hopkins
Hamilton	Smith
Hardin	of Matagorda
Harrell	Stinson
Harris of Archer	Tarwater
Harris of Dickens	Tennant
Huddleston	Tennyson
Hyder	Thornberry
Johnson of Ellis	Waggoner
Jones of Angelina	Walker
Jones of Wise	Weldon
Keefe	Westbrook
Keith	Wood
Kelt	Worley
Kern	

## Nays—51

Baker	Fielden
Blankenship	Fuchs
Boyer	Hankamer
Bridgers	Hanna
Callan	Harris of Dallas
Carssow	Hartzog
Celaya	Heflin
Colquitt	Herzik
Dickison	Holland
Dollins	Hoskins
Felty	Howard

James	Morse
Johnson	Newton
of Tarrant	Nicholson
Jones of Atascosa	Pope
Kenyon	Ragsdale
Knetsch	Reader
Leonard	Reed of Dallas
Leyendecker	Simpson
Little	Skaggs
Loggins	Stevenson
Mann	Stocks
Mays	Talbert
McCracken	Thornton
McKee	Vale
Monkhouse	Winfree

Absent

Bradford	Schuenemann
Harbin	Sharpe
Riddle	

Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Hull	Settle
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

Mr. Morse moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—46

Bell	Little
Boyer	Loggins
Bridgers	Mann
Callan	Mays
Carsow	McCracken
Celaya	McDonald
Dickison	McKee
Dollins	Monkhouse
Felty	Morse
Fuchs	Newton
Hankamer	Nicholson
Hanna	Pope
Harris of Dallas	Ragsdale
Hartzog	Reader
Heflin	Reed of Dallas
Holland	Schuenemann
Hoskins	Simpson
Howard	Skaggs
James	Stevenson
Johnson	Thornton
of Tarrant	Vale
Kenyon	Waggoner
Leonard	Winfree
Leyendecker	

Nays—86

Adkins	Alsup
Alexander	Amos

Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Blankenship	Lanning
Boethel	London
Bond	Lucas
Bradbury	Mauritz
Broadfoot	McConnell
Brown	McFarland
Burton	Metcalfe
Cathey	Moffett
Cauthorn	Morris
Cleveland	Oliver
Colquitt	Palmer
Davis of Haskell	Patterson
Davis of Jasper	of Travis
Davison of Fisher	Petsch
Davisson	Powell
of Eastland	Prescott
Dean	Quinn
Deglandon	Reed of Bowie
Derden	Rhodes
England	Roark
Farmer	Ross
Fielden	Russell
Fox	Rutta
Gibson	Sewell
Graves	Smith of Hopkins
Hamilton	Smith
Harbin	of Matagorda
Harrell	Stinson
Harris of Archer	Stocks
Harris of Dickens	Talbert
Herzik	Tarwater
Huddleston	Tennant
Hyder	Tennyson
Jones of Angelina	Thornberry
Jones of Wise	Walker
Keefe	Weldon
Keith	Westbrook
Kelt	Wood
Kern	Worley
King	

Absent

Bradford	Jones of Atascosa
Hardin	Riddle
Johnson of Ellis	Sharpe

Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Hull	Settle
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

Mr. Colquitt moved that the Rule governing the regular order of business be suspended, at this time, for the purpose of holding Memorial Day services, and that Mr. McConnell be invited to address the House.

The motion was lost by the following vote:

Yeas—59

Baker	Lanning
Bell	Leonard
Boyer	Leyendecker
Bridgers	Little
Burton	Loggins
Callan	Lucas
Carssow	Mann
Celaya	McCracken
Colquitt	McDonald
Davis of Jasper	McKee
Davisson	Morse
of Eastland	Newton
Dean	Nicholson
Dickison	Patterson
Dollins	of Travis
Felty	Pope
Fuchs	Prescott
Hankamer	Quinn
Hanna	Ragsdale
Harbin	Reader
Harrell	Reed of Dallas
Harris of Dallas	Schuenemann
Hartzog	Simpson
Herzik	Skaggs
Holland	Tennant
Hoskins	Thornton
Howard	Vale
James	Waggoner
Johnson	Winfree
of Tarrant	Wood
Kenyon	Worley

Nays—71

Adkins	Heflin
Alsup	Huddleston
Amos	Hyder
Bates	Johnson of Ellis
Beckworth	Jones of Angelina
Blankenship	Jones of Wise
Boethel	Keefe
Bond	Keith
Bradbury	Kelt
Broadfoot	Kern
Brown	King
Cathey	Knetsch
Cauthorn	Langdon
Cleveland	Lankford
Davis of Haskell	London
Davison of Fisher	Mauritz
Deglandon	Mays
Derden	McFarland
England	Metcalfe
Farmer	Moffett
Fielden	Monkhouse
Fox	Morris
Gibson	Oliver
Graves	Palmer
Hamilton	Petsch
Harris of Archer	Powell
Harris of Dickens	Reed of Bowie

Rhodes	Stinson
Roark	Stocks
Ross	Talbert
Russell	Tarwater
Rutta	Tennyson
Sewell	Thornberry
Smith of Hopkins	Walker
Smith	Weldon
of Matagorda	Westbrook

Present—Not Voting

McConnell

Absent

Alexander	Riddle
Bradford	Sharpe
Hardin	Stevenson
Jones of Atascosa	

Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Hull	Settle
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

Mr. Morris moved the previous question on the committee amendment by Mr. Bradbury and the main question was ordered.

Question recurring on the committee amendment, yeas and nays were demanded.

The committee amendment was adopted by the following vote:

Yeas—102

Adkins	Dean
Alexander	Deglandon
Alsup	Derden
Amos	England
Baker	Farmer
Bates	Fielden
Beckworth	Fox
Bell	Gibson
Blankenship	Graves
Boethel	Hamilton
Bond	Harbin
Boyer	Hardin
Bradbury	Harrell
Broadfoot	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Callan	Heflin
Carssow	Holland
Cathey	Huddleston
Cauthorn	James
Cleveland	Johnson of Ellis
Davis of Haskell	Jones of Angelina
Davis of Jasper	Jones of Atascosa
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	Kelt



Kern	Quinn
King	Reed of Bowie
Knetsch	Reed of Dallas
Langdon	Rhodes
Lankford	Roark
Lanning	Ross
Leyendecker	Russell
Little	Rutta
London	Sewell
Lucas	Skaggs
Mauritz	Smith of Hopkins
Mays	Smith
McConnell	of Matagorda
McDonald	Stevenson
McFarland	Stinson
Metcalfe	Stocks
Moffett	Talbert
Monkhouse	Tarwater
Morris	Tennyson
Newton	Thornberry
Oliver	Waggoner
Palmer	Walker
Patterson	Weldon
of Travis	Westbrook
Petsch	Wood
Powell	Worley
Prescott	

## Nays—29

Bridgers	Leonard
Celaya	Loggins
Dickison	Mann
Dollins	McCracken
Felty	McKee
Fuchs	Morse
Hankamer	Nicholson
Hanna	Pope
Hartzog	Reader
Herzik	Schuenemann
Howard	Simpson
Hyder	Tennant
Johnson	Thornton
of Tarrant	Vale
Kenyon	Winfree

## Present—Not Voting

Keith	Ragsdale
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## Absent

Bradford	Riddle
Colquitt	Sharpe
Hoskins	

## Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Hull	Settle
Jackson	Shell
Jones of Falls	Smith of Tarrant
Leath	

## PAIRED

Mr. Ragsdale (present), who would vote "nay", with Mr. Smith of Tarrant (absent), who would vote "yea".

Mr. Keith (present), who would vote "yea", with Mr. Bradford (absent), who would vote "nay".

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 6, by adding thereto a new section to be known as Section 2a, to read as follows:

"That from and after the passage of this Act, it shall be unlawful for any person, association of persons, or any corporation, at any race track in this State, to bet or wager any money, or any article of value, on any horse race to be run, trotted, or paced at any such track in this State."

The amendment was adopted.

Mr. Winfree raised the following point of order:

Mr. Speaker:

"House Bill No. 6 in its caption provides that it is an 'Act repealing Chapter 10 of the Laws of the Forty-third Legislature, First Called Session, being House Bill No. 12, pages 32-41 of the General and Special Laws of the Forty-third Legislature,' and in Section 1 of said bill it is provided that Chapter 10 of the Laws of the Forty-third Legislature, First Called Session, being House Bill No. 12, pages 32-41 of the General and Special Laws of the Forty-third Legislature, First Called Session, are hereby repealed.

"House Bill No. 2 has the same in its Section 1 as House Bill No. 6 has in its Section 1. The caption of House Bill No. 2 is exactly like the caption of House Bill No. 6 with reference to Section 1 of each bill. In other words, both House Bill No. 6 and House Bill No. 2 repeal Chapter 10 of the Laws of the Forty-third Legislature, First Called Session, being House Bill No. 12, pages 32-41 of the General and Special Laws of the Forty-third Legislature, First Called Session. In that section, Mr. Speaker, both bills outlaw pari-mutuel betting or gaming on horse races at race tracks.

"The State Affairs Committee on Saturday, May 29th, at a meeting that was advertised or posted as a regular meeting as an open hearing, passed out House Bill No. 6, the one we are now working on, with a recommendation that it do pass, and by an affirmative vote taken immediately thereafter killed House Bill No. 2 and recommended that the same be re-

ported to the House with the recommendation that it do not pass.

"House Bill No. 2, received only one vote in favor of its passage in the Committee, therefore under the House Rules, because of the fact it failed to receive four votes, a motion to print on a minority report cannot be made.

"Section 34 of Article 3 of the Constitution of the State of Texas provides that after a bill has been considered and defeated by either House of the Legislature, no bill containing the same subject shall be passed into a law during the same session.

"Therefore, Mr. Speaker, I raise the point of order on this House Bill No. 6 that same shall not be passed into a law during this session, because of the fact that House Bill No. 2 containing the same subject has been defeated by this House."

WINFREE,  
Representative, 19th  
District.

The Speaker overruled the point of order, stating as his reasons that there was a substantial difference in the bills.

Mr. Keith moved the previous question on the engrossment of House Bill No. 6, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

#### Yeas—79

Adkins	Farmer
Alsup	Fielden
Amos	Fox
Bates	Graves
Beckworth	Hamilton
Blankenship	Harbin
Boethel	Hardin
Bond	Harrell
Bradbury	Harris of Archer
Broadfoot	Huddleston
Brown	Hull
Burton	Johnson of Ellis
Cathey	Jones of Angelina
Cleveland	Jones of Wise
Davis of Haskell	Keefe
Davis of Jasper	Keith
Davison of Fisher	Kelt
Davisson	Kern
of Eastland	King
Dean	Langdon
Deglandon	Lankford
Derden	Lanning
England	Leyendecker

London	Roark
Lucas	Ross
McConnell	Russell
McDonald	Rutta
McFarland	Sewell
Metcalfe	Sharpe
Moffett	Smith of Hopkins
Morris	Smith
Oliver	of Matagorda
Palmer	Stinson
Patterson	Stocks
of Travis	Tennant
Petsch	Tennyson
Powell	Thornberry
Prescott	Waggoner
Quinn	Walker
Reed of Bowie	Weldon
Rhodes	Westbrook

#### Nays—56

Alexander	Knetsch
Baker	Leonard
Bell	Little
Boyer	Loggins
Bridgers	Mann
Callan	Mauritz
Carssow	Mays
Cauthorn	McCracken
Celaya	McKee
Colquitt	Monkhouse
Dickison	Morse
Dollins	Newton
Felty	Nicholson
Fuchs	Pope
Gibson	Ragsdale
Hankamer	Reader
Hanna	Reed of Dallas
Harris of Dallas	Schuenemann
Hartzog	Simpson
Heflin	Skaggs
Herzik	Stevenson
Holland	Talbert
Hoskins	Tarwater
Howard	Thornton
Hyder	Vale
James	Winfree
Johnson	Wood
of Tarrant	Worley
Kenyon	

#### Absent

Bradford	Jones of Atascosa
Harris of Dickens	Riddle

#### Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Jackson	Settle
Jones of Falls	Shell
Leath	Smith of Tarrant

By unanimous consent of the House, the caption of the bill was ordered

amended to conform to all changes and with the body of the bill.

-House Bill No. 6 was then passed to engrossment by the following vote:

## Yeas—108

Adkins	Kern
Alexander	King
Alsup	Langdon
Amos	Lankford
Baker	Lanning
Bates	Leyendecker
Beckworth	Loggins
Blankenship	London
Boethel	Lucas
Bond	Mauritz
Boyer	Mays
Bradbury	McConnell
Broadfoot	McDonald
Brown	McFarland
Burton	Metcalfe
Callan	Moffett
Carsow	Morris
Cathey	Newton
Cauthorn	Oliver
Cleveland	Palmer
Davis of Haskell	Patterson
Davis of Jasper	of Travis
Davison of Fisher	Petsch
Davison	Powell
of Eastland	Prescott
Dean	Quinn
Deglandon	Reed of Bowie
Derden	Reed of Dallas
Dickison	Rhodes
England	Riddle
Farmer	Roark
Fielden	Ross
Fox	Russell
Gibson	Rutta
Graves	Sewell
Hamilton	Sharpe
Harbin	Simpson
Hardin	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Stevenson
Heflin	Stinson
Holland	Stocks
Huddleston	Talbert
Hull	Tarwater
Hyder	Tennant
James	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Waggoner
Jones of Angelina	Walker
Jones of Atascosa	Weldon
Jones of Wise	Westbrook
Keefe	Wood
Kelt	Worley

## Nays—26

Bell	Kenyon
Bridgers	Knetsch
Celaya	Leonard
Colquitt	Mann
Dollins	McCracken
Felty	McKee
Fuchs	Monkhouse
Hankamer	Morse
Hanna	Nicholson
Hartzog	Pope
Herzik	Reader
Hoskins	Schuenemann
Howard	Vale

## Present—Not Voting

Keith	Winfree
Ragsdale	

## Absent

Bradford	Little
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## Absent—Excused

Cagle	McKinney
Harper	Patterson of Mills
Jackson	Settle
Jones of Falls	Shell
Leath	Smith of Tarrant

## PAIRED

Mr. Keith (present), who would vote "yea", with Mr. Bradford (absent), who would vote "nay".

Mr. Ragsdale (present), who would vote "nay", with Mr. Smith of Tarrant (absent), who would vote "yea".

Mr. Bradbury moved to reconsider the vote by which House Bill No. 6 was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

## MOTION TO TAKE UP HOUSE BILL NO. 6

Mr. Bradbury moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 6 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

## Yeas—101

Adkins	Bates
Alexander	Beckworth
Alsup	Bell
Amos	Blankenship
Baker	Boethel

Bond	Leyendecker
Boyer	Loggins
Bradbury	London
Broadfoot	Lucas
Brown	Mauritz
Burton	McConnell
Carssow	McDonald
Cathey	McFarland
Cauthorn	Metcalfe
Cleveland	Moffett
Davis of Haskell	Morris
Davis of Jasper	Newton
Davison of Fisher	Oliver
Davisson	Palmer
of Eastland	Patterson
Dean	of Travis
Deglandon	Petsch
Derden	Powell
England	Prescott
Farmer	Quinn
Fielden	Reed of Bowie
Fox	Reed of Dallas
Graves	Rhodes
Hamilton	Riddle
Harbin	Roark
Hardin	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Heflin	Smith of Hopkins
Huddleston	Smith
Hull	of Matagorda
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tarwater
Jones of Atascosa	Tennant
Jones of Wise	Tennyson
Keefe	Thornberry
Keith	Thornton
Kelt	Waggoner
Kern	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Wood
Lankford	Worley
Lanning	

Nays—35

Bridgers	Hoskins
Callan	Hyder
Celaya	James
Colquitt	Kenyon
Dickison	Leonard
Dollins	Little
Felty	Mann
Fuchs	Mays
Gibson	McCracken
Hankamer	McKee
Hanna	Monkhouse
Hartzog	Morse
Herzik	Nicholson
Holland	Pope

Reader	Stevenson
Schuenemann	Vale
Simpson	Winfree
Skaggs	

Present—Not Voting

Ragsdale

Absent

Bradford

Howard

Absent—Excused

Cagle

McKinney

Harper

Patterson of Mills

Jackson

Settle

Jones of Falls

Shell

Leath

Smith of Tarrant

PAIRED

Mr. Ragsdale (present), who would vote "nay", with Mr. Smith of Tarrant (absent), who would vote "yea".

ADJOURNMENT

On motion of Mr. Blankenship, the House, at 3:50 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The Committee on State Affairs filed a favorable report on House Bill No. 6.

The Committee on State Affairs filed an adverse report on House Bill No. 2.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 28, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 1, Inviting the National Tax Association to hold its annual 1938 meeting in Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 2, Expressing the desire of the Legislature that the State Comptroller, the Attorney General, and the State Treasurer of Texas issue, honor and allow to be paid warrants for the traveling expenses of the State Commissioner of Agriculture and the State Entomologist on the trip to Washington, etc. . . .

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### FOURTH DAY

(Tuesday, June 1, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dickison
Adkins	Dollins
Alexander	England
Alsup	Farmer
Amos	Felty
Baker	Fielden
Bates	Fox
Beckworth	Fuchs
Bell	Gibson
Blankenship	Graves
Boethel	Hamilton
Bond	Hankamer
Boyer	Hanna
Bradbury	Harbin
Bridgers	Hardin
Broadfoot	Harper
Brown	Harrell
Burton	Harris of Archer
Callan	Harris of Dallas
Carssow	Harris of Dickens
Cathey	Heflin
Cauthorn	Herzik
Celaya	Holland
Cleveland	Hoskins
Colquitt	Howard
Davis of Haskell	Huddleston
Davis of Jasper	Hull
Davison of Fisher	Hyder
Davisson	James
of Eastland	Johnson of Ellis
Dean	Johnson
Deglandon	of Tarrant
Derden	Jones of Angelina

Jones of Atascosa	Powell
Jones of Falls	Prescott
Jones of Wise	Quinn
Keefe	Ragsdale
Keith	Reader
Kelt	Reed of Bowie
Kenyon	Reed of Dallas
Kern	Rhodes
King	Riddle
Knetsch	Roark
Langdon	Ross
Lankford	Russell
Lanning	Rutta
Leonard	Schuenemann
Leyendecker	Sewell
Little	Sharpe
Loggins	Simpson
London	Skaggs
Lucas	Smith of Hopkins
Mann	Smith
Mauritz	of Matagorda
Mays	Smith of Tarrant
McConnell	Stevenson
McDonald	Stinson
McFarland	Stocks
McKee	Talbert
Metcalfe	Tarwater
Moffett	Tennant
Monkhouse	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Nicholson	Waggoner
Oliver	Walker
Palmer	Weldon
Patterson	Westbrook
of Travis	Winfree
Petsch	Wood
Pope	Worley

#### Absent—Excused

Bradford	McCracken
Cagle	McKinney
Hartzog	Patterson of Mills
Jackson	Settle
Leath	Shell

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McKinney for today, on motion of Mr. Keith.

Mr. Leath for today, on motion of Mr. Wood.

Mr. Patterson of Mills for yesterday and today, on motion of Mr. McKee.

Mr. Cagle for today, on motion of Mr. Derden.